IN THE HIGH COURT OF BOMBAY AT GOA

STAMP NUMBER (APPLN.) NO. 1916 OF 2005

IN

FIRST APPEAL NO. 216 OF 2005

SHRI APPA BABLO GAUNKAR AND 12 ORS ....Appellant

Versus

THE LAND ACQUISITION OFFICER, PANAJI ....Respondent

Shri. M.B. D'Costa, Senior Advocate with Shri J. Abreu Lobo, Advocate for the Applicants.

Mr.S.S. Kantak, Advocate General with Ms. L. Dharwadkar, Addl. Govt. Advocate for the Respondents.

Coram:- R. M. LODHA &
N. A. BRITTO, JJ.

Date:- 20th September, 2005

P.C.:

Heard Mr. M.B. D'Costa, the learned Senior Counsel for the Applicants and Mr. S.S. Kantak, the learned Advocate General for the respondents.

We do not deem it necessary to give authoritative of pronouncement as to whether the provisions of Order 22 of C.P.C. are attracted to the Reference proceedings or not. This may be considered in an appropriate case. In the light of the peculiar facts and no serious opposition by the respondents, we are satisfied that this application may be granted and abatement of the First Appeal may be set aside.

We, accordingly, set aside the abatement and dispose of the Civil

Application.

R. M. LODHA, J.

N. A. BRITTO, J.

sl.